

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

LAURIE JEAN WRIGHT
a.k.a. LAURIE JEAN SCHIRMER
1596 White Eagle Drive
Naperville, IL 60564

Registered Nurse License No. 427007
Nurse Practitioner Certificate No. 11942

Respondent

Case No. 2012-395

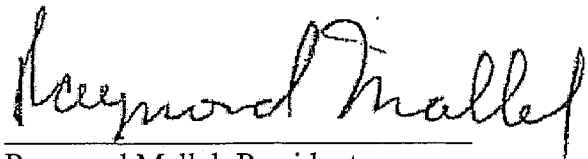
OAH No. 2012020767

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **March 8, 2013.**

IT IS SO ORDERED **February 6, 2013.**



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
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7 Attorneys for Complainant

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2012-395

13 **LAURIE JEAN WRIGHT**
14 **aka LAURIE JEAN SCHIRMER**
15 **1596 White Eagle Drive**
16 **Naperville, IL 60564**

OAH No. 2012020767

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17 **Registered Nurse License No. 427007**
18 **Nurse Practitioner Certificate No. 11942**

19 Respondent.

20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22 PARTIES

23 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
24 Registered Nursing. She brought this action solely in her official capacity and is represented in
25 this matter by Kamala D. Harris, Attorney General of the State of California, by Karen R. Denvir,
26 Deputy Attorney General.

27 2. Respondent Laurie Jean Wright, aka Laurie Jean Schirmer, (Respondent) is
28 represented in this proceeding by attorney Angela Berry-Jacoby, whose address is: 330 Arden
Avenue, Suite 220, ^{Glendale} ~~Encino~~, CA 91203.

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ABJ

3. On or about June 30, 1988, the Board of Registered Nursing issued Registered Nurse License No. 427007 to Laurie Jean Wright, aka Laurie Jean Schirmer (Respondent). The Registered Nurse License expired on November 30, 2011, and has not been renewed.

4. On or about August 11, 2000, the Board of Registered Nursing issued Nurse Practitioner Certificate No. 11942 to Laurie Jean Wright, aka Laurie Jean Schirmer (Respondent). The Nurse Practitioner Certificate expired on November 30, 2009, and has not been renewed.

JURISDICTION

5. Accusation No. 2012-395 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on December 23, 2011. Respondent timely filed her Notice of Defense contesting the Accusation.

6. A copy of Accusation No. 2012-395 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

7. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2012-395. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

8. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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CULPABILITY

10. Respondent admits the truth of each and every charge and allegation in Accusation No. 2012-395.

11. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

12. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 427007 and Nurse Practitioner Certificate No. 11942 to Respondent Laurie Jean Wright, aka Laurie Jean Schirmer, (Respondent) are revoked. However, the revocations are stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

Criminal Court Orders: If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. **Comply with the Board's Probation Program.** Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Board's Probation Program. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, Respondent's license shall be fully restored.

3. **Report in Person.** Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

1 **4. Residency, Practice, or Licensure Outside of State.** Periods of residency or
2 practice as a registered nurse outside of California shall not apply toward a reduction of this
3 probation time period. Respondent's probation is tolled, if and when she resides outside of
4 California. Respondent must provide written notice to the Board within 15 days of any change of
5 residency or practice outside the state, and within 30 days prior to re-establishing residency or
6 returning to practice in this state.

7 Respondent shall provide a list of all states and territories where she has ever been licensed
8 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
9 information regarding the status of each license and any changes in such license status during the
10 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
11 license during the term of probation.

12 **5. Submit Written Reports.** Respondent, during the period of probation, shall submit
13 or cause to be submitted such written reports/declarations and verification of actions under
14 penalty of perjury, as required by the Board. These reports/declarations shall contain statements
15 relative to Respondent's compliance with all the conditions of the Board's Probation Program.
16 Respondent shall immediately execute all release of information forms as may be required by the
17 Board or its representatives.

18 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
19 state and territory in which she has a registered nurse license.

20 **6. Function as a Registered Nurse.** Respondent, during the period of probation, shall
21 engage in the practice of registered nursing in California for a minimum of 24 hours per week for
22 6 consecutive months or as determined by the Board.

23 For purposes of compliance with the section, "engage in the practice of registered nursing"
24 may include, when approved by the Board, volunteer work as a registered nurse, or work in any
25 non-direct patient care position that requires licensure as a registered nurse.

26 The Board may require that advanced practice nurses engage in advanced practice nursing
27 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

28 If Respondent has not complied with this condition during the probationary term, and

Respondent has presented sufficient documentation of her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of Respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation shall apply.

7. Employment Approval and Reporting Requirements. Respondent shall obtain prior approval from the Board before commencing or continuing any employment, paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all performance evaluations and other employment related reports as a registered nurse upon request of the Board.

Respondent shall provide a copy of this Decision to her employer and immediate supervisors prior to commencement of any nursing or other health care related employment.

In addition to the above, Respondent shall notify the Board in writing within seventy-two (72) hours after she obtains any nursing or other health care related employment. Respondent shall notify the Board in writing within seventy-two (72) hours after she is terminated or separated, regardless of cause, from any nursing, or other health care related employment with a full explanation of the circumstances surrounding the termination or separation.

8. Supervision. Respondent shall obtain prior approval from the Board regarding Respondent's level of supervision and/or collaboration before commencing or continuing any employment as a registered nurse, or education and training that includes patient care.

Respondent shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing, unless alternative methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are approved.

Respondent's level of supervision and/or collaboration may include, but is not limited to the following:

(a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.

1 (b) Moderate - The individual providing supervision and/or collaboration is in the patient
2 care unit or in any other work setting at least half the hours Respondent works.

3 (c) Minimum - The individual providing supervision and/or collaboration has person-to-
4 person communication with Respondent at least twice during each shift worked.

5 (d) Home Health Care - If Respondent is approved to work in the home health care
6 setting, the individual providing supervision and/or collaboration shall have person-to-person
7 communication with Respondent as required by the Board each work day. Respondent shall
8 maintain telephone or other telecommunication contact with the individual providing supervision
9 and/or collaboration as required by the Board during each work day. The individual providing
10 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to
11 patients' homes visited by Respondent with or without Respondent present.

12 9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any
13 private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse,
14 or for an in-house nursing pool.

15 Respondent shall not work for a licensed home health agency as a visiting nurse unless the
16 registered nursing supervision and other protections for home visits have been approved by the
17 Board. Respondent shall not work in any other registered nursing occupation where home visits
18 are required.

19 Respondent shall not work in any health care setting as a supervisor of registered nurses.
20 The Board may additionally restrict Respondent from supervising licensed vocational nurses
21 and/or unlicensed assistive personnel on a case-by-case basis.

22 Respondent shall not work as a faculty member in an approved school of nursing or as an
23 instructor in a Board approved continuing education program.

24 Respondent shall work only on a regularly assigned, identified and predetermined
25 worksite(s) and shall not work in a float capacity.

26 If Respondent is working or intends to work in excess of 40 hours per week, the Board may
27 request documentation to determine whether there should be restrictions on the hours of work.

28 ///

1 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and
2 successfully complete a course(s) relevant to the practice of registered nursing no later than six
3 months prior to the end of her probationary term.

4 Respondent shall obtain prior approval from the Board before enrolling in the course(s).
5 Respondent shall submit to the Board the original transcripts or certificates of completion for the
6 above required course(s). The Board shall return the original documents to Respondent after
7 photocopying them for its records.

8 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with its
9 investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
10 amount of \$4,295.00. Respondent shall be permitted to pay these costs in a payment plan
11 approved by the Board, with payments to be completed no later than three months prior to the end
12 of the probation term.

13 If Respondent has not complied with this condition during the probationary term, and
14 Respondent has presented sufficient documentation of her good faith efforts to comply with this
15 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
16 extension of Respondent's probation period up to one year without further hearing in order to
17 comply with this condition. During the one year extension, all original conditions of probation
18 will apply.

19 12. **Violation of Probation.** If Respondent violates the conditions of her probation, the
20 Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order
21 and impose the stayed discipline (revocation/suspension) of Respondent's license.

22 If during the period of probation, an accusation or petition to revoke probation has been
23 filed against Respondent's license or the Attorney General's Office has been requested to prepare
24 an accusation or petition to revoke probation against Respondent's license, the probationary
25 period shall automatically be extended and shall not expire until the accusation or petition has
26 been acted upon by the Board.

27 13. **License Surrender.** During Respondent's term of probation, if she ceases practicing
28 due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation,

Respondent may surrender her license to the Board. The Board reserves the right to evaluate Respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be subject to the conditions of probation.

Surrender of Respondent's license shall be considered a disciplinary action and shall become a part of Respondent's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

(1) Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or

(2) One year for a license surrendered for a mental or physical illness.

14. Physical Examination. Within 45 days of the effective date of this Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician assistant, who is approved by the Board before the assessment is performed, submit an assessment of the Respondent's physical condition and capability to perform the duties of a registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If medically determined, a recommended treatment program will be instituted and followed by the Respondent with the physician, nurse practitioner, or physician assistant providing written reports to the Board on forms provided by the Board.

If Respondent is determined to be unable to practice safely as a registered nurse, the licensed physician, nurse practitioner, or physician assistant making this determination shall immediately notify the Board and Respondent by telephone, and the Board shall request that the Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall immediately cease practice and shall not resume practice until notified by the Board. During this period of suspension, Respondent shall not engage in any practice for which a license issued by the Board is required until the Board has notified Respondent that a medical determination permits Respondent to resume practice. This period of suspension will not apply to the reduction

1 of this probationary time period.

2 If Respondent fails to have the above assessment submitted to the Board within the 45-day
3 requirement, Respondent shall immediately cease practice and shall not resume practice until
4 notified by the Board. This period of suspension will not apply to the reduction of this
5 probationary time period. The Board may waive or postpone this suspension only if significant,
6 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
7 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
8 Only one such waiver or extension may be permitted.

9 **15. Participate in Treatment/Rehabilitation Program for Chemical Dependence.**

10 Respondent, at her expense, shall successfully complete during the probationary period or shall
11 have successfully completed prior to commencement of probation a Board-approved
12 treatment/rehabilitation program of at least six months duration. As required, reports shall be
13 submitted by the program on forms provided by the Board. If Respondent has not completed a
14 Board-approved treatment/rehabilitation program prior to commencement of probation,
15 Respondent, within 45 days from the effective date of the decision, shall be enrolled in a program.
16 If a program is not successfully completed within the first nine months of probation, the Board
17 shall consider Respondent in violation of probation.

18 Based on Board recommendation, each week Respondent shall be required to attend at least
19 one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous,
20 Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board.
21 If a nurse support group is not available, an additional 12-step meeting or equivalent shall be
22 added. Respondent shall submit dated and signed documentation confirming such attendance to
23 the Board during the entire period of probation. Respondent shall continue with the recovery plan
24 recommended by the treatment/rehabilitation program or a licensed mental health examiner
25 and/or other ongoing recovery groups.

26 **16. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent shall
27 completely abstain from the possession, injection or consumption by any route of all controlled
28 substances and all psychotropic (mood altering) drugs, including alcohol, except when the same

1 are ordered by a health care professional legally authorized to do so as part of documented
2 medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14)
3 days, by the prescribing health professional, a report identifying the medication, dosage, the date
4 the medication was prescribed, the Respondent's prognosis, the date the medication will no
5 longer be required, and the effect on the recovery plan, if appropriate.

6 Respondent shall identify for the Board a single physician, nurse practitioner or physician
7 assistant who shall be aware of Respondent's history of substance abuse and will coordinate and
8 monitor any prescriptions for Respondent for dangerous drugs, controlled substances or mood-
9 altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report
10 to the Board on a quarterly basis Respondent's compliance with this condition. If any substances
11 considered addictive have been prescribed, the report shall identify a program for the time limited
12 use of any such substances.

13 The Board may require the single coordinating physician, nurse practitioner, or physician
14 assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive
15 medicine.

16 **17. Submit to Tests and Samples.** Respondent, at her expense, shall participate in a
17 random, biological fluid testing or a drug screening program which the Board approves. The
18 length of time and frequency will be subject to approval by the Board. Respondent is responsible
19 for keeping the Board informed of Respondent's current telephone number at all times.
20 Respondent shall also ensure that messages may be left at the telephone number when she is not
21 available and ensure that reports are submitted directly by the testing agency to the Board, as
22 directed. Any confirmed positive finding shall be reported immediately to the Board by the
23 program and Respondent shall be considered in violation of probation.

24 In addition, Respondent, at any time during the period of probation, shall fully cooperate
25 with the Board or any of its representatives, and shall, when requested, submit to such tests and
26 samples as the Board or its representatives may require for the detection of alcohol, narcotics,
27 hypnotics, dangerous drugs, or other controlled substances.

28 If Respondent has a positive drug screen for any substance not legally authorized and not

1 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board
2 files a petition to revoke probation or an accusation, the Board may suspend Respondent from
3 practice pending the final decision on the petition to revoke probation or the accusation. This
4 period of suspension will not apply to the reduction of this probationary time period.

5 If Respondent fails to participate in a random, biological fluid testing or drug screening
6 program within the specified time frame, Respondent shall immediately cease practice and shall
7 not resume practice until notified by the Board. After taking into account documented evidence
8 of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may
9 suspend Respondent from practice pending the final decision on the petition to revoke probation
10 or the accusation. This period of suspension will not apply to the reduction of this probationary
11 time period.

12 **18. Mental Health Examination.** Respondent shall, within 45 days of the effective date
13 of this Decision, have a mental health examination including psychological testing as appropriate
14 to determine her capability to perform the duties of a registered nurse. The examination will be
15 performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by
16 the Board. The examining mental health practitioner will submit a written report of that
17 assessment and recommendations to the Board. All costs are the responsibility of Respondent.
18 Recommendations for treatment, therapy or counseling made as a result of the mental health
19 examination will be instituted and followed by Respondent.

20 If Respondent is determined to be unable to practice safely as a registered nurse, the
21 licensed mental health care practitioner making this determination shall immediately notify the
22 Board and Respondent by telephone, and the Board shall request that the Attorney General's
23 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
24 practice and may not resume practice until notified by the Board. During this period of
25 suspension, Respondent shall not engage in any practice for which a license issued by the Board
26 is required, until the Board has notified Respondent that a mental health determination permits
27 Respondent to resume practice. This period of suspension will not apply to the reduction of this
28 probationary time period.

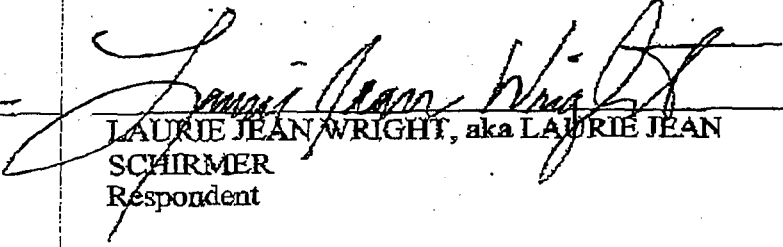
1 If Respondent fails to have the above assessment submitted to the Board within the 45-day
2 requirement, Respondent shall immediately cease practice and shall not resume practice until
3 notified by the Board. This period of suspension will not apply to the reduction of this
4 probationary time period. The Board may waive or postpone this suspension only if significant,
5 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
6 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
7 Only one such waiver or extension may be permitted.

8 19. **Therapy or Counseling Program.** Respondent, at her expense, shall participate in
9 an on-going counseling program until such time as the Board releases her from this requirement
10 and only upon the recommendation of the counselor. Written progress reports from the counselor
11 will be required at various intervals.

12
13 ACCEPTANCE

14 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
15 discussed it with my attorney, Angela Berry-Jacoby. I understand the stipulation and the effect it
16 will have on my Registered Nurse License, and Nurse Practitioner License. I enter into this
17 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
18 to be bound by the Decision and Order of the Board of Registered Nursing.

19
20 DATED: 8/22/12


LAURIE JEAN WRIGHT, aka LAURIE JEAN
SCHIRMER
Respondent

21
22
23 I have read and fully discussed with Respondent Laurie Jean Wright, aka Laurie Jean
24 Schirmer, the terms and conditions and other matters contained in the above Stipulated Settlement
25 and Disciplinary Order. I approve its form and content.

26
27 DATED: 8/22/12


Angela Berry-Jacoby
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated:

August 27, 2012



Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General

KAREN R. DENVER
Deputy Attorney General
Attorneys for Complainant

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10936255.doc

Exhibit A

Accusation No. 2012-395

1 KAMALA D. HARRIS
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 KAREN R. DENVIR
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. **2012-395**

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13 **aka LAURIE JEAN SCHIRMER**
1596 White Eagle Drive
14 **Naperville, IL 60564**
Registered Nurse License No. 427007
15 **Nurse Practitioner Certificate No. 11942**

A C C U S A T I O N

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),
21 Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about June 30, 1988, the Board issued Registered Nurse License Number
24 427007 to Laurie Jean Wright ("Respondent"). The registered nurse license expired on
25 November 30, 2009, and has not been renewed.

26 ///

27 ///

28 ///

1 **Nurse Practitioner Certificate**

2 3. On or about August 11, 2000, the Board issued Nurse Practitioner Certificate Number
3 11942 to Respondent. The nurse practitioner certificate expired on November 30, 2009, and has
4 not been renewed.

5 **STATUTORY PROVISIONS**

6 4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent
7 part, that the Board may discipline any licensee, including a licensee holding a temporary or an
8 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the
9 Nursing Practice Act.

10 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
11 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
12 to render a decision imposing discipline on the license. Under Code section 2811, subdivision
13 (b), the Board may renew an expired license at any time within eight years after the expiration.

14 6. Code section 2761 states, in pertinent part:

15 The board may take disciplinary action against a certified or licensed
16 nurse or deny an application for a certificate or license for any of the following:

17 (a) Unprofessional conduct....,

18 (f) Conviction of a felony or of any offense substantially related to the
19 qualifications, functions, and duties of a registered nurse, in which event the record of
20 the conviction shall be conclusive evidence thereof.

20 7. Code section 2762 states, in pertinent part:

21 In addition to other acts constituting unprofessional conduct within the
22 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a
23 person licensed under this chapter to do any of the following:

24 (b) Use any controlled substance as defined in Division 10 (commencing
25 with Section 11000) of the Health and Safety Code, or any dangerous drug or
26 dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or
27 in a manner dangerous or injurious to himself or herself, any other person, or the
28 public or to the extent that such use impairs his or her ability to conduct with safety to
29 the public the practice authorized by his or her license.

30 (c) Be convicted of a criminal offense involving the prescription,
31 consumption, or self-administration of any of the substances described in
32 subdivisions (a) and (b) of this section, or the possession of, or falsification of a

1 record pertaining to, the substances described in subdivision (a) of this section, in
2 which event the record of the conviction is conclusive evidence thereof.

3 **COST RECOVERY**

4 8. Code section 125.3 provides, in pertinent part, that the Board may request the
5 administrative law judge to direct a licensee found to have committed a violation or violations of
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
7 enforcement of the case.

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Criminal Conviction)**

10 9. Respondent has subjected her license and certificate to discipline pursuant to Code
11 section 2761, subdivision (f), in that Respondent has been convicted of the following crime that is
12 substantially related to the qualifications, functions, or duties of a registered nurse:

13 a. On or about January 9, 2009, in the Superior Court, County of Los Angeles,
14 California, in the matter entitled *People vs. Laurie Wright*, 2008, Case No. 8WA03000,
15 Respondent was convicted following her plea of nolo contendere to a violation of Vehicle Code
16 section 23152, subdivision (b) (driving with a blood alcohol level of .08% or more), a
17 misdemeanor. The circumstances of the crime are that on or about September 1, 2008,
18 Respondent was arrested for driving under the influence of alcohol, following a traffic stop.
19 Respondent's blood alcohol measured .21%.

20 **SECOND CAUSE FOR DISCIPLINE**

21 **(Conviction of a Crime Involving Alcohol)**

22 10. Respondent has subjected her license and certificate to discipline pursuant to Code
23 section 2762, subdivision (a), on the grounds of unprofessional conduct, as defined by Code
24 section 2762, subdivision (c), in that Respondent has been convicted of a crime involving the
25 consumption of alcohol, as more particularly set forth in paragraph 9, above.

26 **THIRD CAUSE FOR DISCIPLINE**

27 **(Use Alcohol to an Extent or in a Manner Dangerous or Injurious)**

28 11. Respondent has subjected her license and certificate to discipline pursuant to Code
section 2762, subdivision (a), on the grounds of unprofessional conduct, as defined by Code

1 section 2762, subdivision (b), in that on or about September 1, 2008, Respondent used alcohol to
2 an extent or in a manner dangerous or injurious to herself or others, as more particularly set forth
3 in paragraphs 9 and 10, above.

4 **PRAYER**

5 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
6 and that following the hearing, the Board of Registered Nursing issue a decision:

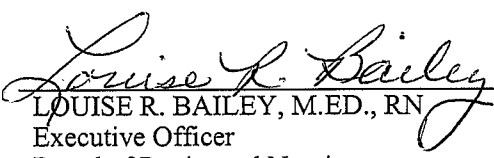
7 1. Revoking or suspending Registered Nurse License Number 427007, issued to Laurie
8 Jean Wright aka Laurie Jean Schirmer;

9 2. Revoking or suspending Nurse Practitioner Certificate Number 11942, issued to
10 Laurie Jean Wright aka Laurie Jean Schirmer;

11 3. Ordering Laurie Jean Wright aka Laurie Jean Schirmer to pay the Board of
12 Registered Nursing the reasonable costs of the investigation and enforcement of this case,
13 pursuant to Business and Professions Code section 125.3; and,

14 4. Taking such other and further action as deemed necessary and proper.
15
16

17 DATED: December 23, 2011


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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